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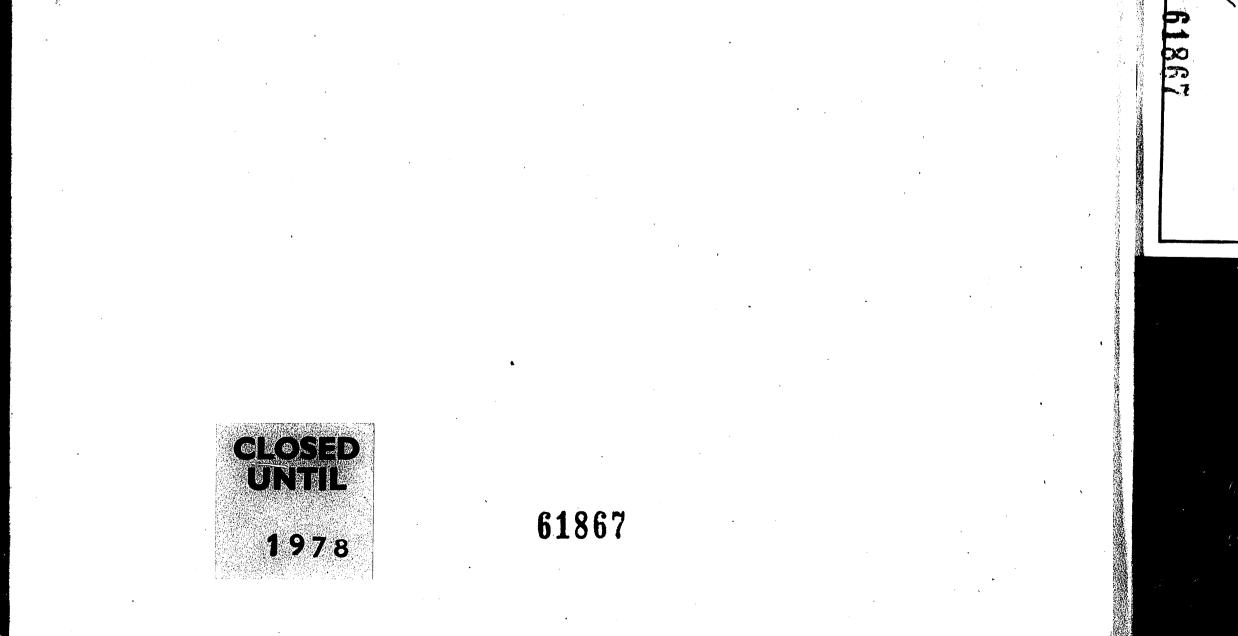
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10 JAN 1947 - Castern The Anglo-Arab Friendship Society 62a CADOGAN SQUARE, LONDON, S.W.I Hon. Secretary MISS FRANCES NEWTON Telephone: KEN 7822 Arab Liaison Mrs. Fox Strangways Captain Alan Graham Lady Makins Miss Frances Newton, D J. of O.St. J., F.R.G.S. Douglas Reed, Esq. Captain Arthur Rogers, O.B.E. Lt.-Col. A. D. Wintle, M.C., F.R.S.L. YUSIF BANDAK EFFENDI Hon. Treasurer MRS. FOX STRANGWAYS 194 7 8th January

The Right Honble. Sir Ernest Bevin, Foreign Office, Whitehall, S.W.l. .

Sir,

Chairman of the Committee

THE EARL OF NORBURY

Committee

I am asked by the Committee of the Anglo-Arab Friendship Society to submit for your information the enclosed report which was drawn up by it concerning the interview which by invitation was kindly granted to our Chairman and myself by Mr. Ivor Thomas on the 6th January, 1947.

I have the honout to be, Sir,

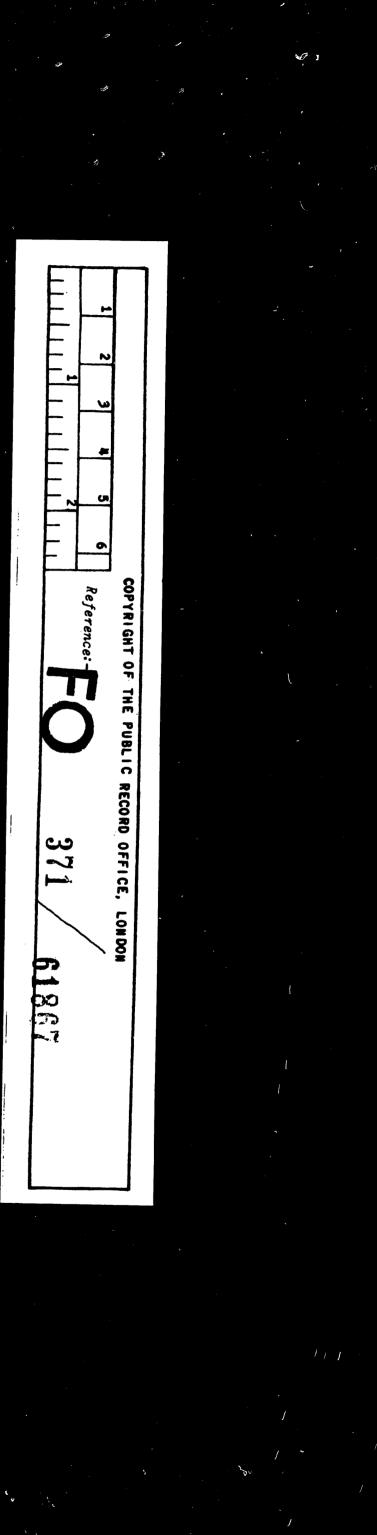
Yours faithfully,

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Hon.Secretary.



On the 6th January, 1347, the representatives of the Anglo-Arab Friendship Society, the Chairman, the Earl of Norbury, and the Honorary Secretary, Miss Frances Newton, called by invitation on the Colonial Secretary to lay before him the views of the Anglo-Arab Friendship Society on the subject of Palestine.

The Anglo-Arab Friendship Society is in close touch with the leaders of Arab opinion and Arab representatives in this country.

COPY

They were received by Mr. Ivor Thomas, Parliamentary Under Secretary at the Colonial Office.

The representatives told the Parliamentary Under Secretary that the Anglo-Arab Friendship Society was in full agreement with the Arab leaders in rejecting the Morrison plan as being unworkable and unjust. They urged that H.M.Government should invite the Mufti or his nominee to the coming Conference and that the policy as laid down in the White Paper of 1939, which was acceptable to the Arabs as a basis of agreement, be maintained.

The representatives were assured by the Parliamentary Under Secretary that it is not the policy of H.M.Government to allow the Zionists to dictate the Agenda for the forth-coming Conference.

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The Anglo-Arab Friendship Society

62a CADOGAN SQUARE, LONDON, S.W.J.

512/31

Chairman of the Committee THE EARL OF NORBURY

Committee Mrs. Fox Strangways Captain Alan Graham Lady Makins Miss Frances Newton, D J. of O.St. J., F.R.G.S. Douglas Reed, Esq. Captain Arthur Rogers, O.B.E Lt.-Col. A. D. Wintle, M.C., F.R.S.L. Telephone : KE**H** 7822

His Majesty's Secretary of state at the Foreign Office, Wnitehall, S.W.1.

Sir,

We would draw the attention of His Majesty's Foreign Minister to a communication we have received from our visiting Arab, Yusif Bandak Effonce, son of the Christian Arab Mayor of Bethlehem. He writes us as follows:-

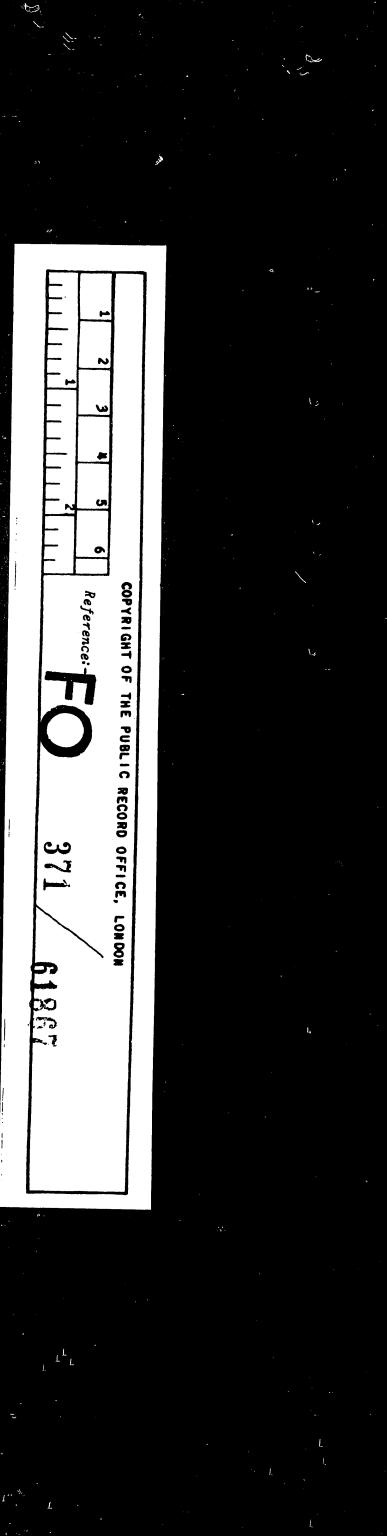
"There will be a reshuffle of the Higher Arab Committees soon because the Mufti is not satisfied with the procent state of things. The train is that the Arabs of Palestine in the absence of the Mufti, have no faith in their leadership and the country therefore lacks solid unity.

There is in the country a strong move of communist thought spreading rapidly. No leader in Palestine can stem this danger for the Arabs here consider Jamel Husseini, the deputy Chairman of the Committee, an imperialist instrument.

There is only way to end this depressing state: the return of the Mufti. You may be able to do a great deal of good for our common interests by calling on the Foreign Secretary and explaining to him this dangerous situation. The Mufti has expressed to my father a few days ago, his readiness to co-operate with the British and carry out an extensive campaign, as a great religious leader against communism. He is the only man who can undermine communist influence not only in Palestine but in all Arab countries.

I believe that the Mufti's question is now being considered in London and that an interview between you and the Foreign Secretary may be timely.

I am going to Cairo next week where I am expected by Azzam Pasha and the Mufti and hope that you will not neglect this question as I will tell them of what you may do. Your presence in Cairo may be desirable. I will find out everything when in Cairo".



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Hon. Secretary MISS FRANCES NEWTON

Arab Liaison

YUSIF BANDAK EFFENDI

Hon. Treasurer

MRS. FOX STRANGWAYS

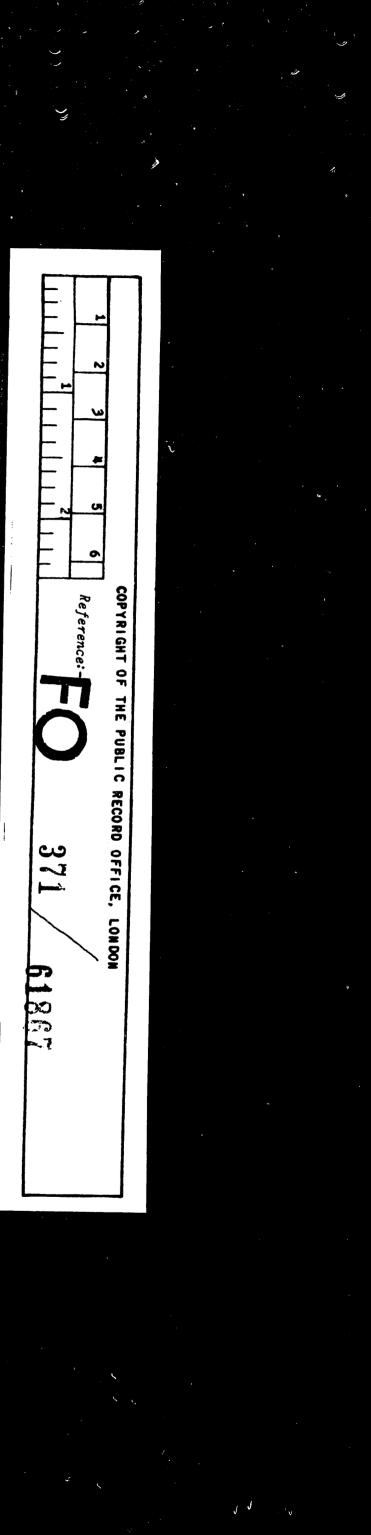
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Yours sincerely,

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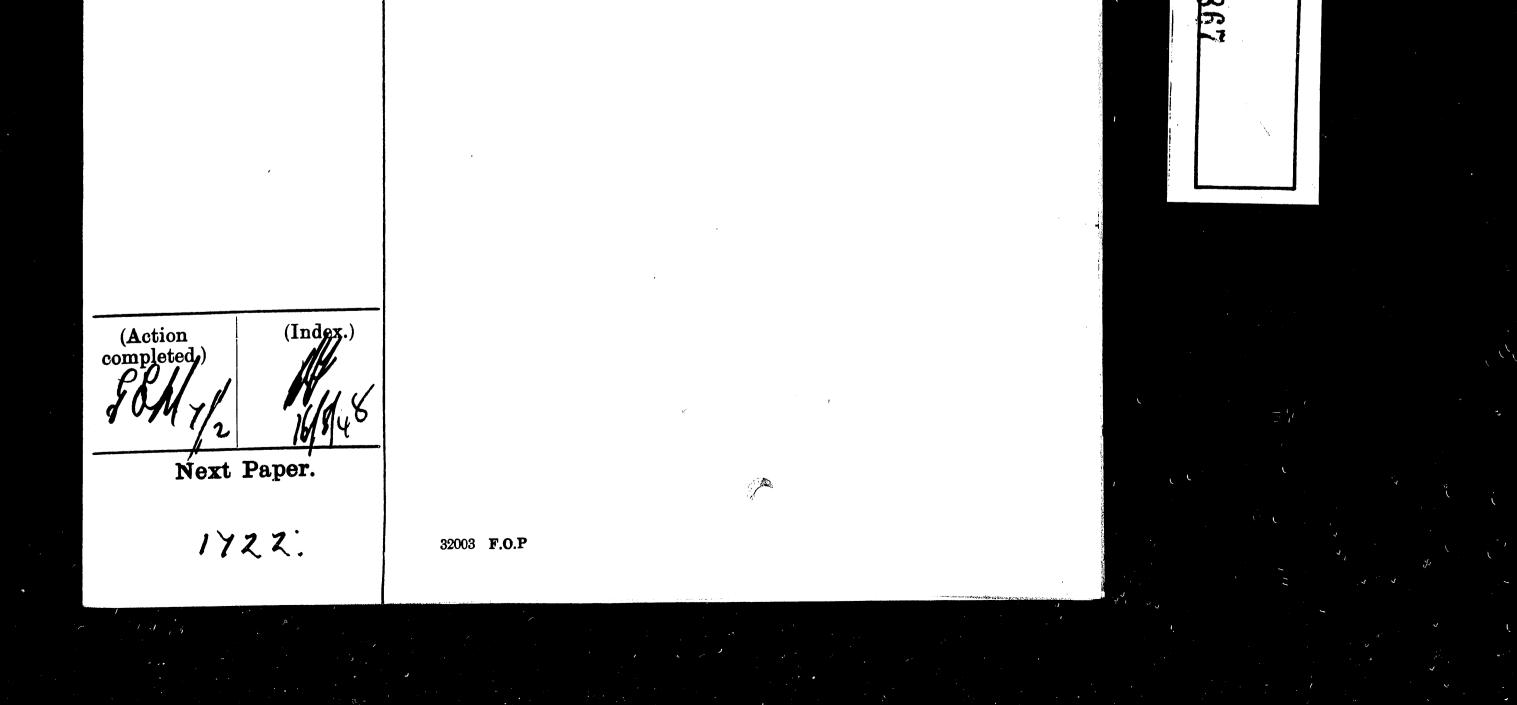
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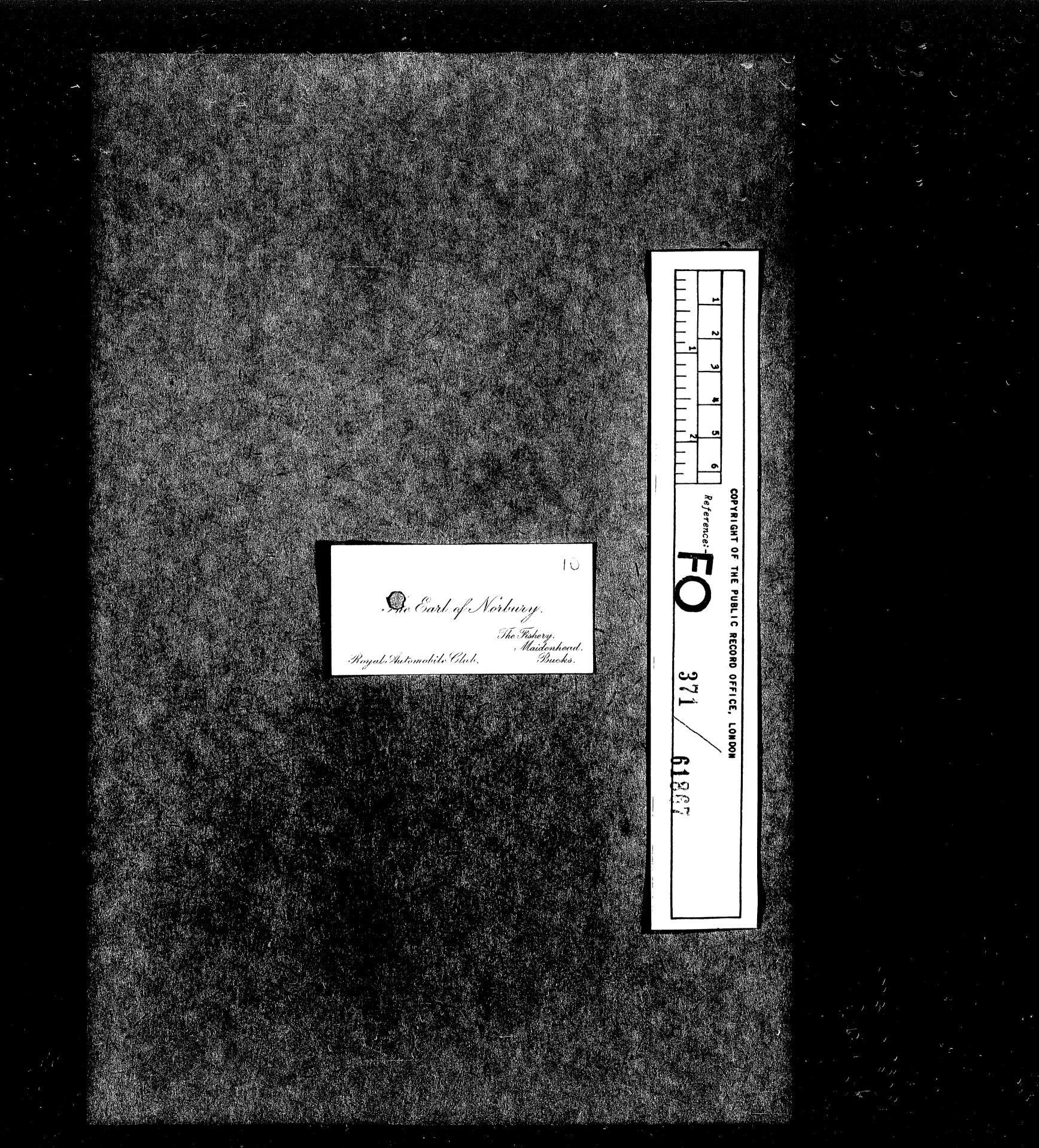


И Registry No. E.914/512/31 OUT FILE Top Secret. Secret. Confidential. FOREIGN OFFICE, S.W.1 Restricted. 12 February, 1947 Open. / Ung · Draft. Letter to: Lord Norbury, ty Ind, Chairman, Anglo-Arab I am directed by Mr. Secretary Friendship Soc., 62a Cadogan Sq., Bevin to acknowledge your letter of the London, S.W.1. 27th January on the subject of the Mufti of Jerusalem, and to inform you that the return (to Palesline) upm statue of the Murtifis a matter which return MARGIN H.B. follo Officer Any recommendations Referet COPYRIGHT THIS you wish to make on this subject should therefore be addressed to them. The ę Z THE Secretary of State for the Colonies. WRITTEN PUBLIC in the first instance. Itclean with RECORD OFFICE, **B**E 37 20 an LONDON **NOTHING** My Land, **P**? 2007 Your opedient Sewant, Lung - 3/2 (Sqd) C.W. Barter. M. Traford Smith Concurs. F.&S. (51) 9/46 100m 3148 Wt. 26469/137

8 OUT FILE 914/512/31. FOREIGN OFFICE 1. 12th February,1947. My Lord, I am directed by Mr. Secretary Bevin Reference COPYRIGHT to acknowledge your letter of the 27th January on the subject of the Mufti of Jerusalem, and to inform you that the return of the Mufti to Palestine is a matter upon which any recommendations 0 you wish to make should be addressed to the THE PUBLIC RECORD OFFICE, Secretary of State for the Colonies in the first instance. I am, My Lord, Your obedient Servant, (Sqol.) C. W. Barten. 371 **LONDON** 61867 Lord Norbury, Anglo-Arab Triendship Society, 62a Cadogan Square, 8.W.1.

J H E 1072 9 1947 FFB PALESTINE Palestine Lititation. Encloses statement which has been rown up by the Porciety, on the ubject of discussion , it the Lynden Registry Number E197 FROM drawn up by carb of Montrury Lubyeco anglo-arel No. triendship Dated & conference the Proposab of fiving I will Received in Registry concerned. ie H mg the 30. Jan 194) leave. analy 4 7eh 1947 C^ (Minutes.) Last Paper. H.B. 1/2 COPYRIGHT Refe 914 References. PUBLIC RECORD OFFICE, LONDON (Print.) 37 (How disposed of.) 618







The Anglo-Arab Friendship Society

62a CADOGAN SQUARE, LONDON, S.W.I

Telephone: KEN 7822

Chairman of the Committee THE EARL OF NORBURY

Committee Mrs. Fox Strangways Captain Alan Graham Lady Makins Miss Frances Newton, D J. of O.St. J., F.R.G.S. Douglas Reed, Eso. Captain Arthur Rogers, O.B.E LT.-Col. A. D. Wintle, M.C., F.R.S.L. Hon, Secretary MISS FRANCES NEWTON Arab Liaison YUSIF BANDAK EFFENDI Hon, Treasurer MRS, FOX STRANGWAYS

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30th January 194 7

Sir,

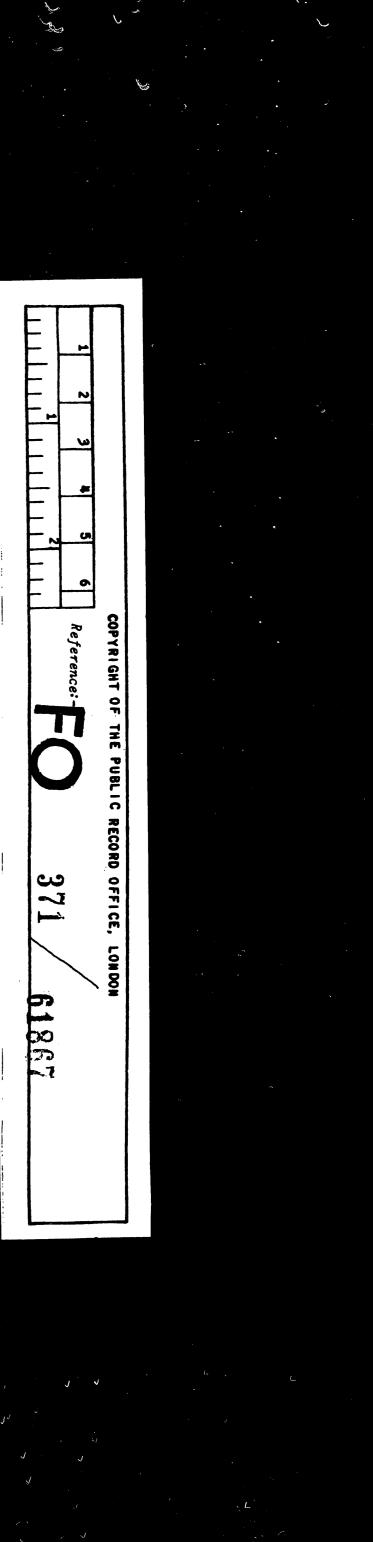
For the information of those interested in the subject of discussion at the London Conference, the enclosed statement has been drawn up which I send to you hoping you may find it useful.

Yours sincerely,

NORBURY

E 1072 753 4

The Foreign Secretary, Foreign Office, Whitehall, S.W.l.



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The grim triangular controversy concerning the future of Palestine reopens with the holding of a third Arab Jewish Conference in London in January 1947 by the aid of which the British Government hopse to find a way to unravel the tangled web she wove by the issue of the Balfour Declaration and the Easter, Baving failed in doing so at the first norder Conference bald in 1939 to release the Palestine Arabs from t a testaales of the Zionist ander, the Government produced a produced a carefully drawn up statement of policy in a Shite Paper (and 6019) derigent to allow both the splder and the fly peacefully to share the such wab. But he referred to later, but meanwhile it can only be said that during the seven years since the issue of the dhite moor, the web has become more hopelessly entagled than ever, in foot, a onlig the bar coached which threatens to endenger the peace of the world and calls for drastic action to be taken without delay. The avention is, about shall it he? The present couldion is this: the British Covernment stands hovering over the situation with solicitous be evolver, eaching to enconcila the irreconcilable aspirations of the process of the Jews. Section were, stand the Arabs ready, but charle to clear any frith in British gold intentions having soon them so ofter frugrated.

On the stor had, the Jave face us in their Congress declaring their resolute determination by all means in their power to thwart and resist ally benevels to action towards the Graps and do so by means of dynamite and flact throace. YRIGHT

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"The wohise of Frientine", said the Boyal Commission, "cannot be solved by giving either the Arabs or the lows all they want". The answer to the question, "whitch of them in the and will dovern Falestine:" must surely be, "neither", out new west on to say, " "artition seems to offer al lolat a change of ultimate peace. le ord see none in any other plan". A.J.Report p.375-6. Following this sivice, the Government at ones sent out a technical commission to investigais the possibility of Partition as outlined by the Poyol Accession. In 1938 a White Waper (and 5893) was issued which said, "how dovernment after careful study of the Palestine Partition Pecort, have reached the conclusion that this forther examination has shown that the political administrative and financial difficulties involved in the proposal to create independent Arab and Jewish states (neide Falestine, are so great, that this solution of the problem, is impracticable". (0.3) In soite of this, the present Government owing to the thanks events in Falestine during recent months, in again advocating Faration. The Press too is urging it: the "Times" in a leading article entitled "The Zionist case", ands with these words:-

"In justice to the requirements of the time and to the British troops

and police in Calestine she now sustain so every a tordee, the British Government must now proceed to explore the possibilities of a final solution which are almost cartainly to be found only in some practicable formula of partition". Dec.27th, 1946. are three parties concerned in seeking a solution, i.e., Britons, Arabs and Jews, so there are three programmes which may be discussed at the London Conference in January 1947.

1) The British programme known as the 'Morrison Plan'

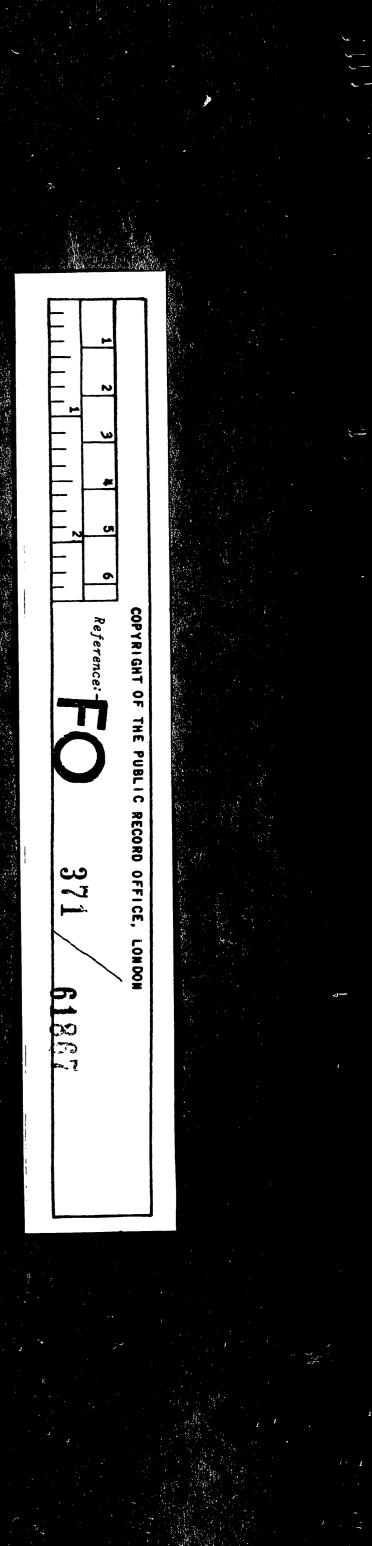
It owes its title to the fact that it was presented by Mr.Morrison to the House of Commons on July 31st, 1946. In his speech he expounded in detail the proposed new policy for Palestine. This is board on the recommendations of British and American experts as to the policy to be adopted "in respect of all the matters covered by the report of the Anglo-American Committee". (Hansard - House of Commons - July 31st 1946). The recommendations made in the Report had been so severaly criticised as to be unacceptable. Here is a brief summary of the Morrison Plan:-The basic principle on which it rests is that "Palestine as a whole can be neither a Jewish nor an Arab State", therefore the "form of Governeent cust be such as to safeguard the interests in the Holy Land of Christendom and of the Moslem and Jewish faiths". With this aim in view, there should be set up in Pelestine, an Arab and a Jewish Province each of which would sajoy a large measure of autonomy under the supervision of a central Government. "For this purpose Palestine would be divided into four areas: an Arab Province, a Jewish Province, a district of Jerusalem and a district of the Nejeb". An instrument of Government which would establish the fundamental law would provide for a "guarantae of civil, religious rights and equality before the law of all residents, and for the freedom of inter-territorial transit, trade and commerce. There would be reserved to the Government exclusive authority as to defence, foreign relations... and the administration of law and order. (Hensard Vol.426 No.183 c 970).

Such in barest outline is the Horrison Plan to be submitted by the Government as a basis for discussion on the Agenda of the Conference. It should be noted that, while the form of Partition proposed by the Royal Commission, divided Palentine into two halves, under the Morrison Plan, it is proposed to divide it into four quarters.

T T ARAB PROGRAM T

The Arab programse falls into line with the policy laid down by the British Government in 1939 in no for as it acticipates the creation of a Palastinian State in which all stations of the population share in the government of the country. The Arabs ask only that the oriental characteristics of the country shall not be prejudiced by the conferred influx of an occidental immigration, introducing element, alien to the inhereot discessition of its original inhabitants.

The following extracts from the Memorandum presented by the Arab Higher Committee to the Anglo-American Committee, light up the horizon beyond the present deadlock.



In the Arab view, every solution of the problem created by Zionist aspirations, must satisfy certain fundamental principles, and must rest on a recognition of the fact that
By geography and history Palestine is inescapably part of the

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Arab World. 2) The Mandatory is responsible for the development of self governing institutions, and therefore, must recognise that such questions as immigration and land, which affect the whole nature and destiny of the country. should be decided in accordance with democratic principles by the will of the population. 3) The only way by means of which the will of the population can be expressed, is through the establishment of <u>responsible</u> representative government and that government should be based u pon the principle of absolute equality of all citizens irrespective of race and religion.

4) The formation of government should be such as to make possible the development of a spirit of loyalty and cohesion among all soctions of the community which will over-ride all sectional attachments. In other words, it should be a government which the whole community could regard as their own, rooted in their corect

Such a government would create the nucleus of a Palestinian State which, as stated in the 1939 White Paper, is the objective aimed at by H.M.Government. It is hoped that in the course of time, the exclusiveness of the Jews will be neutralised by the development of loyalty to the Palestinian State, and the emergence of new groupings which cut across communal divisions.

The Arabs recognise the need for giving special consideration to the peculiar position and needs of the Jews. No attempt would be made to interfere with their communal organisation, their personal status or their religious observances. These would be left to operate unchecked except for that general control which all governments exercise over them.

The Palestinian State would be an Arab State, not in any narrow racial sense nor in the sense that non-Arabs should be placed in a position of inferiority, but because the form and policy of its government would be based on a recognition of two facts. First, that the majority of the citizens are Arabs and second, that Palestine is part of the Arab World and has no future except through close co-operation with the neighbouring Arab States. This co-operation would be of benefit to the Jewish no less than the Arab citizens of Palestine since it would ensure those good

relations without which Jewish development would be impossible.

Such a solution as the Arabs propose, will not have to be made at the expense of breaking any promises to the Jews, for, when the Allied Powers undertook to facilitate the creation of a Jewish national home, they cannot be presumed to have promised more than it was possible to perform.

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The history of the last 25 years has surely proved that the attempt to establish a Jewish national home in Paleetine against the will of the Arabs and of the whole Arab World, is impossible, and if persisted in will be fraught with danger alike to the safety of the Jews and to the vital interest of the Western Powers.

There has been much talk of the Jews being in Palestine as of "right and not on sufferance". The real choice is not between "right" and "sufferance", but between "goodwill" and "force". If the Jews recognize their need for the goodwill of the Arabs and accept the conditions on which alone it can be obtained, Palestine may yet have peace".

3) The BIONIST PROGRAMME

The supreme governing body of the Zionist Organisation is its Congress. This body speaks in the name of World Jewry and its decisions are binding on all who adhere to the Zionist creed. Therefore, the resolutions passed by the 22nd Congress held at Basle in December 1946, represent the Zionist programme for the London Conference. A summary of these follows:

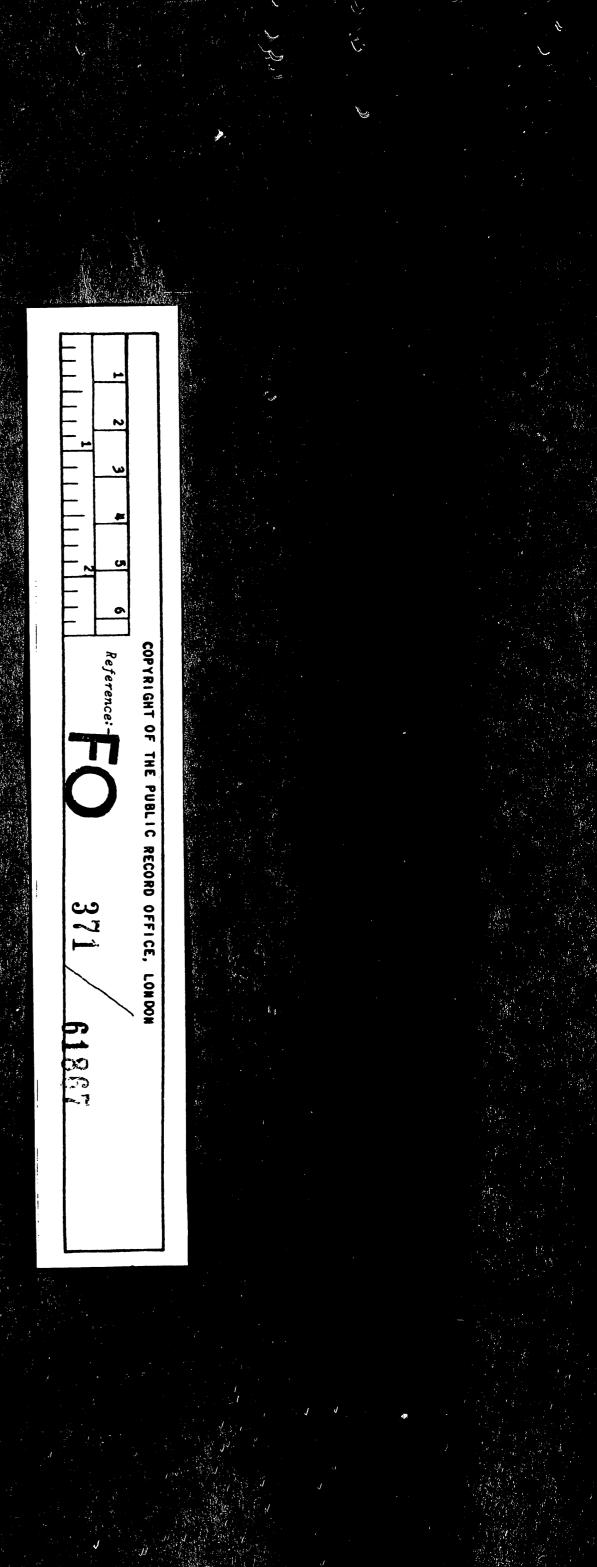
1) GENERAL DEMANDS

The 22nd Zionist Congress weaffirms the following political demands repeatedly voiced by the organs of the Zionist Organisation.

- a) That Palestine be established as a Jewish Commonwealth integrated in the structure of the democratic world,
- b) That the gates of Palestine be opened to Jewish immigration. c) That the Jewish Agency be vested with the control of immigration into Palestine and with the necessary authority for the upbuilding of the country."

2) Resistance to White Paper policy.

"The Congress declares that the persistent violation of the rights of the Jewish people has placed the Zionist movement and the Yishuv, (i.e. the Jewish population in Palestine) under the necessity and moral compulsion to resist unceasingly and with utmost vigour the present policy of the mandatory which, being based on the White Paper, <u>Is devoid of all legal or moral</u> validity. The Zionist movement will continue to extend to the



Yishuv every possible support in its determined struggle to protect the vital interests of the Jewish people and its inclienable rights, including the right to immigration, settlement and self-defence". 0

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3) Immigration into Palestine.

"The Congress condemns the present immigration policy in Palestine as a complete reversal of the obligation of the Mandatory to facilitate Jewish immigration. It upholds the inalienable right of every Jew in need of a home, to seek salvation in Palestine and pledges the sympathetic support of the Zionist Movement to all Jews determined to exercise that right".

4) Congress opinion of the Morrison Plan.

"The Congress regards as a travesty of Britain's obligations under the Mandate, the scheme known as the 'Morrison Scheme' which is designed to divide Palestine into Arab, British and Jewish provinces, all of which would be under the unfettered control of the British Administration while perpetuating British rule throughout Palestine, the Morrison scheme would, in fact, absolve the Mandatory Government of its obligations to promote the development of the Jewish national home. Congress rejects the Morrison proposals and declares them unacceptable even as a basis for discussion.

5. The London Conference.

"The Congress resolves that in the existing circumstances the Zionist Movement cannot participate in the London Conference. If a change should take place in the situation, the General Council of the Zionist Organisation shall consider the matter and decide whether to participate in the Conference or net". (Zionist Review. 10th Jan. 1947)

Such in outline are the resolutions passed by the Basle Congress in December 1946. Negotiations were at once set on foot with the Colonial Secretary with a view to arriving at a change in the British plan which would enable Zionist delegates to attend the Conference.

From these programmes it will be seen that the Conference is called upon to discuss the following three proposals:a) The British Government puts forward a plan of Federal autonomy

b) The Arabs demand the creation of an independent

Palestinian State and are ready to accept Jewish citizens as partners in the Government. c) The Zionists demand the creation of a Jewish State

1.

in a viable area of Palestine in which the Government will be exclusively Jewish

Such is the situation which faces the Conference. It would indeed be difficult to produce political harmony. out of the ingredients composing such a veritable witch's brew as that which has been simmering for the last quarter of a century in Palestine.

6.

May the Almighty grant the wisdom of Solomon to those on whom falls the onerous and honourable duty of discovering an equitable way to peace in the land which is the cradle of those spiritual, ethical and moral values which enrich the human race. Is it not possible that the religious leaders of all three faiths should combine with our political leaders in seeking a solution to the baffling problem which has so long eluded us?

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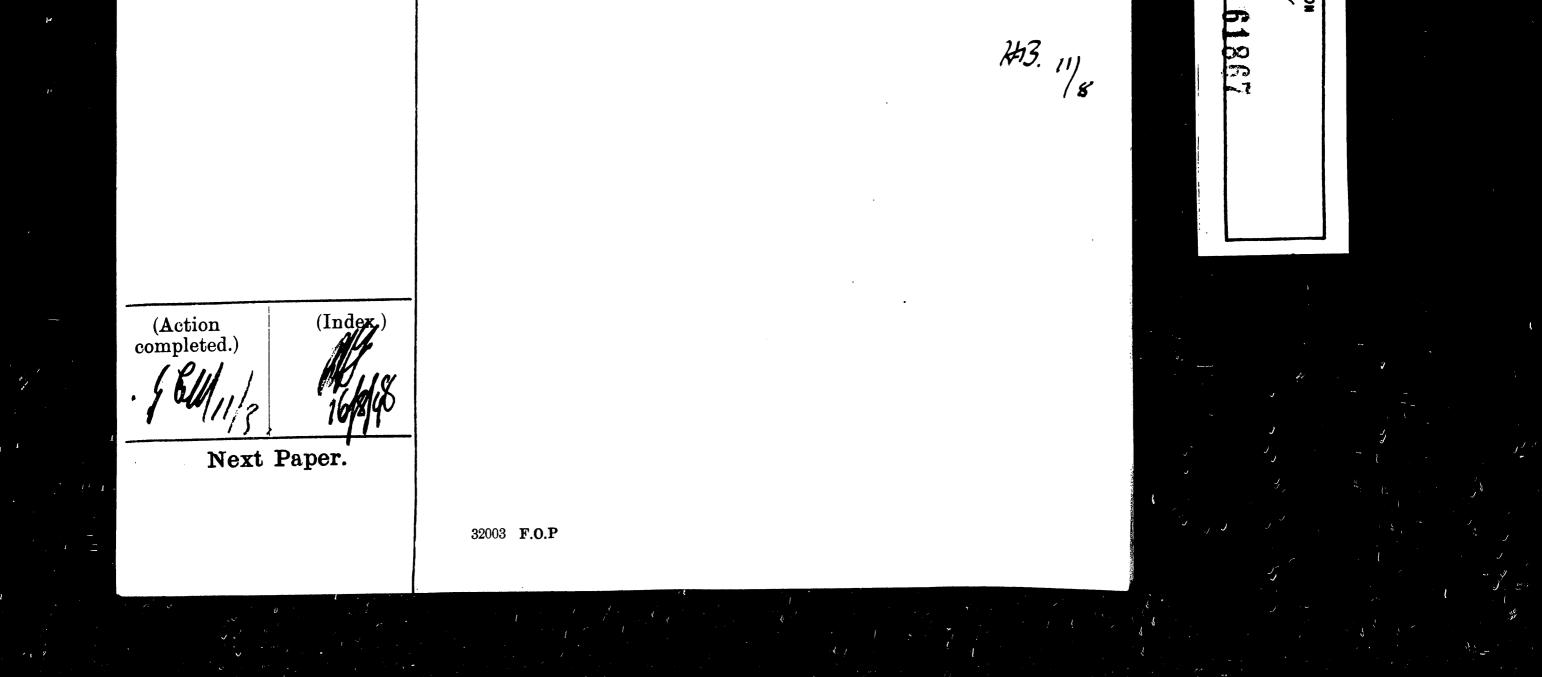
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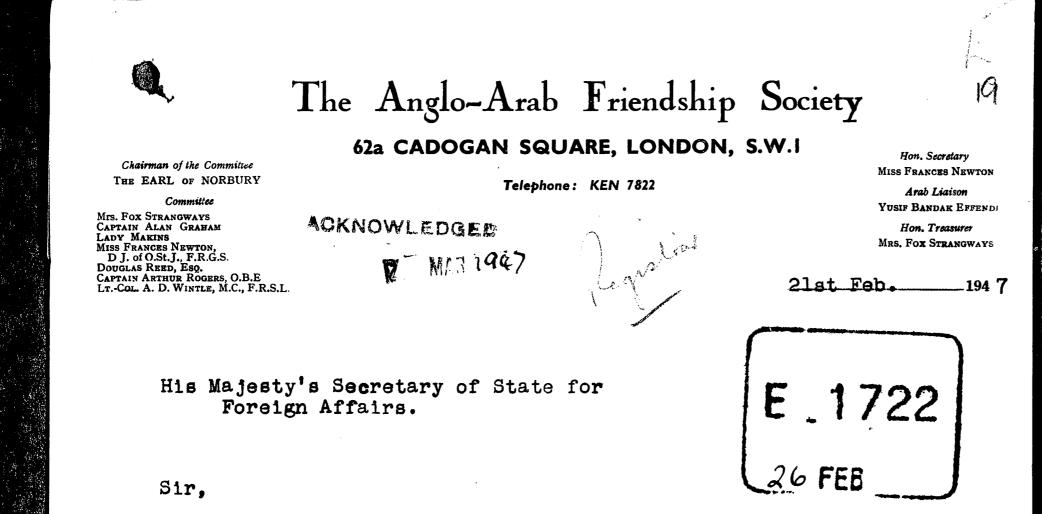
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18 E 1722 1947 26 FEB PALESTINE Pulitine Lituation. Registry Number E1722/512/31 Lord Montury and Committee send topression of appreciation is prich mode by the bever in the work to moved giving totes of British Policy on Policient, alcheigh a ould have preferred spercoch & have then muchout the further working interment of 1500 gmmigrants. FROM Frances . E. New Ton anglo-anal Arriendship No. Jouily. Dated Received in Registry & UI KIN 21, feb 194.7 26 feb 1947 (Minutes.) Last Paper. 107Q If the Privato Suntany agres, 9 think a simple almowled ground is enough References. 143.24 Privato Bur Kang mytim at acating of Atra (Print.) 37 (How disposed of.) In P.P. Booklet by Frank Newton.





Lord Norbury and the Committee of this Society desire me to send this early private expression of their appreciation of the honesty of purpose and statesmanlike courage which characterised your speech in the House of Commons giving the basis of British policy on Palestine, although we would have preferred this new approach to the Palestine problem to have been without the further monthly instalment of 1500 immigrants.

Sad but none the less welcome however, is your clear cut vindication of the Arab view that the Palestine Mandate was unworkable and that the two obligations, imposed on the British Government by that complex instrument, were irreconcilable.

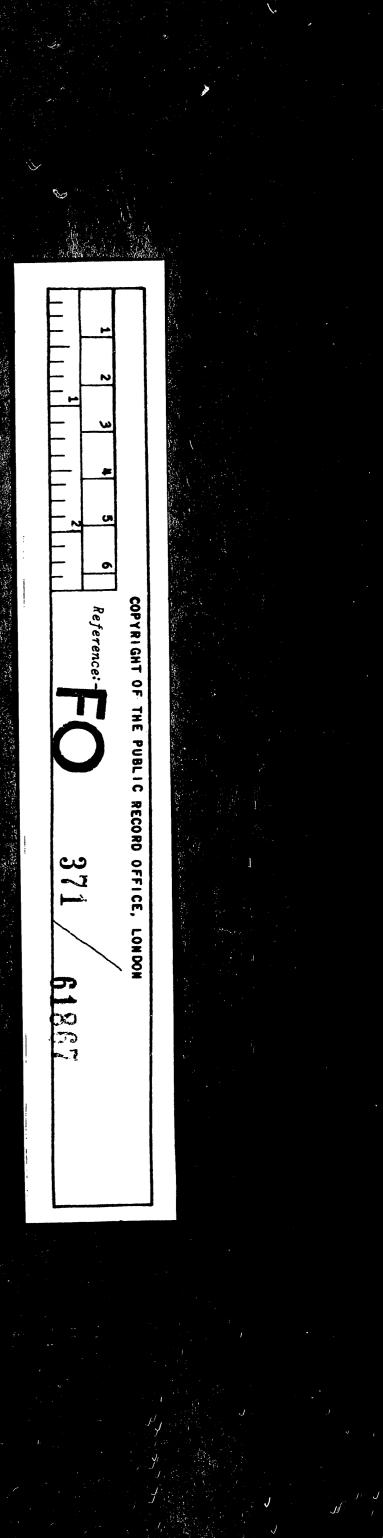
The complexity was frequently admitted by previous Cabinets, but in spite of the realities of the situation, His Majesty's Government always claimed before the Permanent Mandates Commission and the world at large that the two conflicting obligations were not irreconcilable.

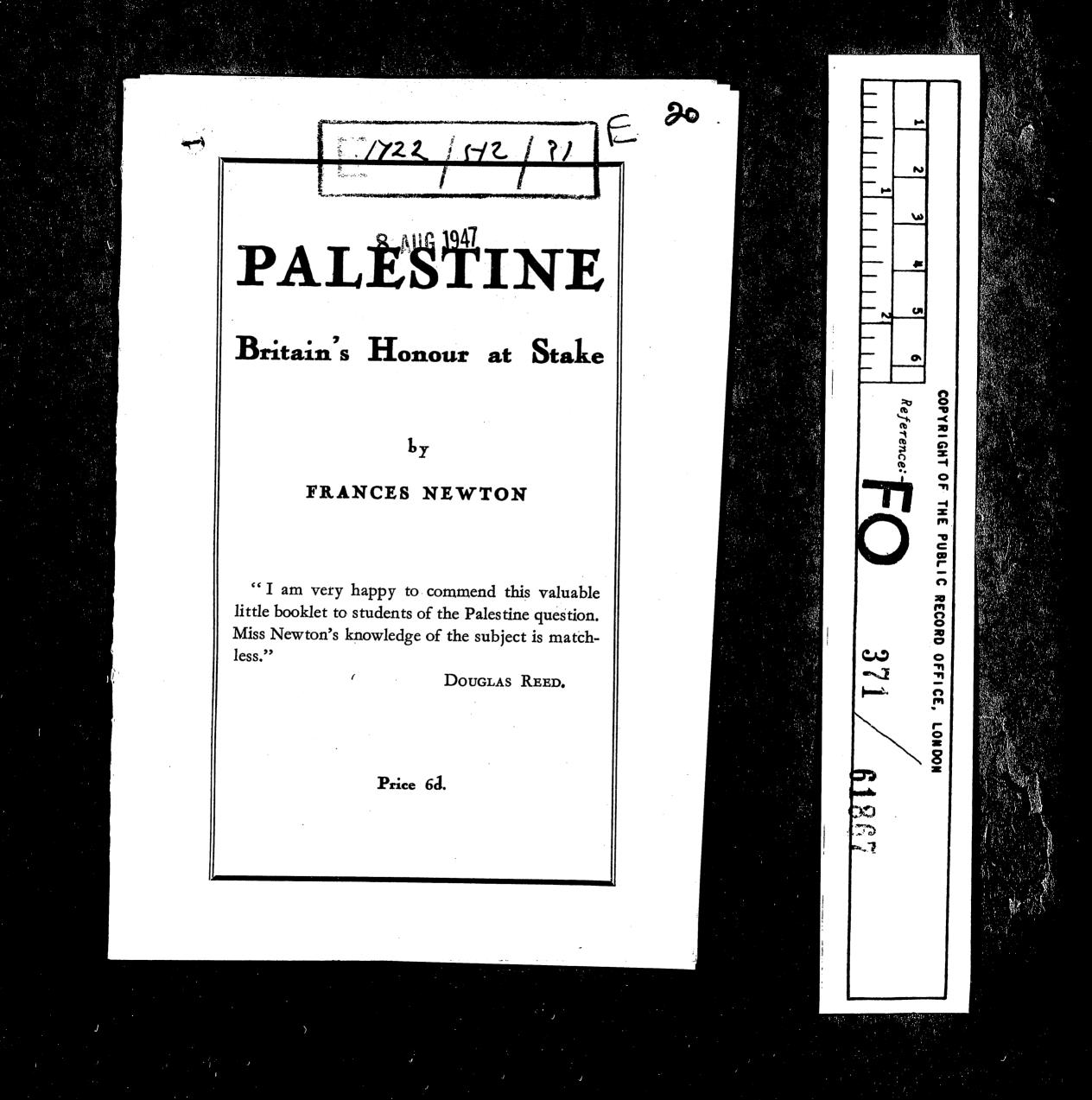
The reference to the United Nations with "no particular solution," appears to afford the British Government the opportunity at least of seeking such a solution as will secure a long-term policy of real Anglo-Arab friendship in the Middle East and the whole of the Arab and Moslem world.

I beg to remain, Sir,

Yours respectfully. frances. E. newton

FRANCES E. NEWTON Hon.Secretary.





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Reference:

Britain's Honour at Stake

by FRANCES NEWTON

Dame of Justice of the Order of St. John of Jerusalem

THE PALESTINE MANDATE

versus

THE MANDATE FOR PALESTINE

Which is the right one?

A question for U.N.O. to answer also

THE WHITE PAPER OF 1939

he the

TEXT of the OFFICIAL DOCUMENTS CONCERNED ANGLO-ARAB FRIENDSHIP SOCIETY, 62A, CADOGAN SQUARE, S.W.1.

THE PALESTINE MANDATE

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versus

The Mandate FOR Palestine

Two quite distinct and separate documents

IN the first document "The Palestine Mandate" drawn up during the Peace Conference of 1919, three parties were concerned, i.e., the Allied Powers, the British Government, and the population of Palestine which, at that time, consisted of 93 per cent Arabs and 7 per cent. Jews.

The second document known as "The Mandate FOR Palestine" issued in 1923, concerned not only the Allied Powers, the British Government, and the population of Palestine, but introduces two further parties, i.e., the Government of Palestine, and World Jewry, ignoring the Arabs, who are referred to in that document only as "existing non-Jewish communities."

These being the underlying facts with which the United Nations Assembly is confronted, it is clear that it is not something that must be DONE, but something that must be UNDONE, before the three alternatives put before them by the British Foreign Secretary can logically be dealt with.

1917. THE BALFOUR DECLARATION.

The origin of the trouble in Palestine is to be found in the letter sent by Lord Balfour to Lord Rothschild,



dated 2nd November, 1917, known as "the Balfour Declaration," which reads as follows :---

"Dear Lord Rothschild,

"I have much pleasure in conveying to you, on behalf of His Majesty's Government, the following declaration of sympathy with Jewish Zionist aspirations, which has been submitted to, and approved by, the Cabinet.

"His Majesty's Government view with favour the establishment in Palestine of a national home for the Jewish people, and will use their best endeavours to facilitate the achievement of this object, it being clearly understood that nothing shall be done which may prejudice the civil and religious rights of existing non-Jewish communities in Palestine or the rights and political status enjoyed by Jews in any other country.

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Reference

"I shall be grateful if you would bring this declaration to the knowledge of the Zionist Federation.

" Yours, Arthur J. Balfour."

1919. THE PALESTINE MANDATE.

This Mandate originated at the Peace Conference held in Paris in 1919 after the first World War, when a group of Governments, i.e., the Allied Powers, vested themselves with authority to draw up a code of principles known as the COVENANT, which should govern the action to be taken in respect of the future administration of all the then conquered enemy territories, of which Palestine was one.

When some 50 other Governments, under the ægis of this most solemn pact called the COVENANT, had adopted the code or COVENANT, the League of Nations came formally into being, and the code became the rule of procedure known as the Mandatory System of Trusteeship, administering the conquered countries. The Palestine Mandate is therefore to be found in the text of the Covenant as follows :----

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MANDATES (Article 22).

"To those colonies and territories which, as a consequence of the late war, have ceased to be under the sovereignty of the States which formerly governed them, and which are inhabited by peoples not yet able to stand by themselves under the strenuous conditions of the modern world, there should be applied the principle that THE WELL-BEING AND DEVELOPMENT OF SUCH PEOPLES FORM A SACRED TRUST OF CIVILISATION."

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Accordingly, the tutelage of these peoples has been entrusted by the Covenant to the more advanced nations who will administer these countries as Mandatories on behalf of the League. The character of the Mandates differs according to the stage of development of the people, consequently, mandated territories are divided into three categories :---A, B and C.

Class "A" Mandates

Formerly possessions of the Ottoman Empire

Mesopotamia (Iraq)	•••		Great Britain
Palestine and Transjordan	•••		Great Britain
Syria and the Lebanon	•••	• • •	France

Article 22, Para. 4, deals specifically with these territories :---

"Certain communities formerly belonging to the Turkish Empire have reached a stage of development where their existence as INDEPENDENT NATIONS can be provisionally recognised subject to the rendering of administrative advice and assistance by a Mandatory until such time as they are able to stand alone. The WISHES of these communities must be a PRINCIPAL CONSIDERATION in the selection of the Mandatory."

1920. THE SAN REMO CONFERENCE.

The next step was taken at San Remo in Italy when

it was agreed to adopt the principles embodied in the Covenant and to apply them to Palestine. It was also decided at San Remo that the Mandate for the Government of Palestine should be entrusted to Great Britain.

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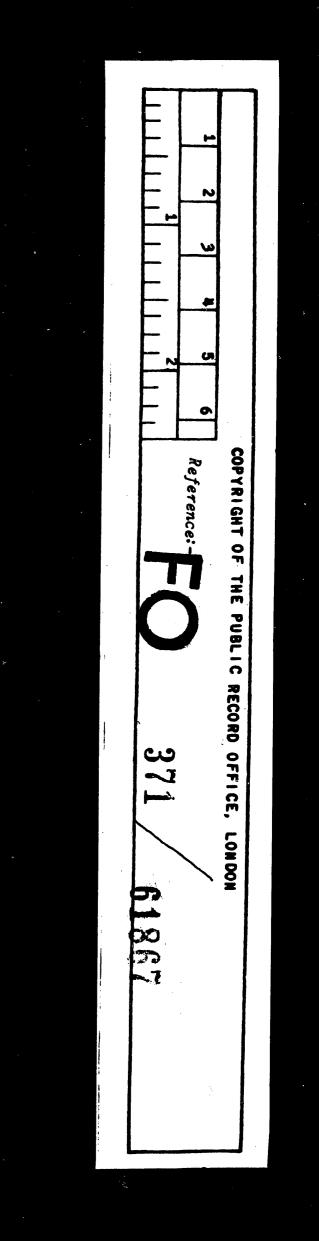
The text of that agreement was as follows :---

"The High Contracting Parties agree to entrust, by application of the provisions of Article 22, the administration of Palestine, within such boundaries as may be determined by the Principal Powers, to a Mandatory to be selected by the said Powers.

The Mandatory will be responsible for putting into effect the declaration originally made on November 2nd, 1917, by the British Government and adopted by the other Allied Powers in favour of the establishment in Palestine of a national home for the Jewish people, it being clearly understood that nothing shall be done which may prejudice the civil and religious rights of existing non-Jewish communities in Palestine, or the rights and political status enjoyed by Jews in any other country."

Attention is here drawn to the FIRST DEPARTURE from the terms of the *Covenant* originally drawn up by the Powers in 1919 and confirmed at San Remo in 1920, namely :—" the wishes of these communities must be a principal consideration in the selection of the Mandatory." The choice was made by the "high Contracting Parties" without any reference to the wishes of the communities concerned.

The choice of the Mandatory having been made and Great Britain having accepted it, it now became the duty of the British Government to draft its Code of instructions for the guidance of its officials in Palestine in the task of giving "*administrative advice and assistance*" to the people of Palestine (93 per cent. Arabs) towards the goal of self-government and ultimate independence provided for and guaranteed to them in the COVENANT MANDATE.



1922.

It is now, therefore, time to examine the terms of the Mandate drawn up by Great Britain ostensibly for that purpose and submitted for approval to the Council of the League of Nations in Geneva, and was officially sanctioned.

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An important fact in this connection must be mentioned here. When the Secretary General of the League and the Secretary of the Mandates Commission received it, they realised that the terms of the Mandate for Palestine violated the basic principles on which the Mandatory System rested, but the pressure brought to bear upon them by those who "formulated" the Mandate for Palestine was too strong to be withstood.

THE MANDATE FOR PALESTINE. September, 1923.

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Since the 28 Articles of the Mandate provide for carrying into effect its fundamental purpose, namely, "the establishment of the National Home," the preamble only is quoted here. It speaks for itself.

The Preamble.

WHEREAS the principal Allied Powers have agreed, for the purpose of giving effect to the provisions of Article 22 of the Covenant of the League of Nations, to entrust to a mandatory selected by the said Powers the administration of the territory of Palestine, which formerly belonged to the Turkish Empire, within such boundaries as may be fixed by them; and

WHEREAS the principal Allied Powers have also agreed that the Mandatory should be responsible for putting into effect the declaration originally made on November 2nd, 1917, by the Government of His Britannic Majesty and adopted by the said Powers in favour of the establishment in Palestine of a national home for the Jewish people, it being clearly understood that nothing should be done which might prejudice the civil and religious rights of existing non-Jewish communities in Palestine, or the rights and political status enjoyed by Jews in any other country; and

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WHEREAS recognition has thereby been given to the historical connection of the Jewish people with Palestine and to the grounds for reconstituting their national home in that country; and

WHEREAS the principal Allied Powers have selected His Britannic Majesty as the Mandatory for Palestine; and

WHEREAS the mandate in respect of Palestine has been formulated in the following terms and submitted to the Council of the League for approval; and

WHEREAS His Britannic Majesty has accepted the mandate in respect of Palestine and undertaken to exercise it on behalf of the League of Nations in conformity with the following provisions; and

WHEREAS by the aforementioned Article 22 (par. 8) it is provided that the degree of authority, control or administration to be exercised by the Mandatory not having been previously agreed upon by the Members of the League, shall be explicitly defined by the Council of the League of Nations;

Confirming the said Mandate, defines its terms as follows :---

SECOND DEPARTURE FROM THE 1st MANDATE.

It is here in the Preamble that the second departure from the Covenant Mandate is to be seen, and this the most vital one, i.e., that the "sacred Trust" committed to a Mandatory is that of ensuring "the well-being and development" of indigenous populations.

In the 2nd Mandate it is no longer a question of viewing with favour the calling into being of a national home, but the recognition of the claim of the Jews to RE-CONSTITUTE THEIR National Home in an Arab Land.

The Zionists see in the words "Re-constitute THEIR National Home"—not without some justification—the recognition of a right to establish Jewish Sovereignty in Palestine.

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The Arabs, on the other hand, reading them in their own language, see the words "Watan Koumi" to mean the rehabilitation of a Jewish HOMELAND owned by virtue of ancestral inheritance, and not merely a "home" for Jews to live in. So, with equal justification, the Arabs refuse to recognise the right of the Allied Powers to deprive them of their own uninterrupted ancestral and historic rights in their ancient patrimony. Jewish occupation of Palestine ceased in A.D. 70.

THE UNITED NATIONS CHARTER.

This is a guarantee for the continuation of the work of the defunct League of Nations, and a pledge for the fulfilment of its obligations and responsibilities.

The attention of the United Nations is therefore drawn to Article 20.

Article 20

"The Members of the League severally agree that this Covenant is accepted as *abrogating all obligations or understandings* inter se, which are inconsistent with the terms thereof and *solemnly undertake that they will not bereafter enter into any engagements inconsistent with the terms thereof.*"

"In case any Member of the League shall, before becoming a Member of the League, have undertaken any obligations inconsistent with the terms of this Covenant, it shall be the duty of such Member to take immediate steps to procure its release from such obligations."

A QUESTION TO BE ANSWERED.

Are the documents known as the Balfour Declaration and the Mandate FOR Palestine consistent or inconsistent with the terms of the Covenant? 10

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This is the one outstanding question which the FACT FINDING COMMITTEE is called upon to answer if the United Nations are really ready to shoulder the onorous duties they inherit as executors of the legacy bequeathed to them by the defunct League of Nations. It is not what has to be DONE, but what has first to be UNDONE, before a solution to the problem of Palestine can be sought for in the three alternatives put forward to the Assembly by the British Foreign. Secretary.

THE WHITE PAPER OF 1939

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The White Paper of 1939 was issued as the result of the first really serious and unbiased examination of the series of promises and declarations made by the British Government during and after the war of 1914-1918. COPYRIGHT OF THE PUBLIC RECORD OFFICE,

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Denounced from the first by the Zionists, it was seized upon as a bone of contention between them and the British, because they claim that "it violates the rights of the Jewish people"* under the Mandate FOR Palestine. In fact the hostility to this White Paper is best described in a speech by Ben Gurion at a Press Conference in New York some two years ago, in which he is reported to have said "If Great Britain decides to maintain the White Paper restrictions, she will be able to do so only through a reign of bloody terror."[†] Events since then have proved that this was no mere warning, but the expression of serious intention.

Zionist leaders appearing before the United Nations Assembly in May, 1947, have gone even so far as to affirm that Great Britain is responsible for the existence of Jewish terrorism because she does not withdraw the White Paper. This, surely, is in keeping with the "reign of bloody terror" foreshadowed by Ben Gurion. The Zionists take their stand on the ground that a

* Zionist Review, Jan. 10, 1947.

[†] Zionist Review, Jan. 10, 1947.

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definite RULING against the validity of the White Paper has been given by the Mandates Commission. In consequence, they assert that "Jews coming into Palestine despite the arbitrary regulations, cannot be classified as 'Illegal immigrants violating a regulation which is no law at all. On the contrary, those who keep them from coming into the country are themselves performing illegal acts.' Any decree in defiance of the RULING of the Mandates Commission is itself illegal, and an illegal decree cannot create illegal immigrants. Yet the British Government continues to enforce the White Paper despite the ruling that it is unconstitutional."*

The truth of this matter is that when the White Paper was discussed by the Mandates Commission, a minority voiced their disapproval of it, but the only body empowered to give a ruling never met, for war broke out before it could do so. COPYRIGHT

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It is no light thing to impugn the honour of Great Britain in this matter, for she is solemnly pledged to the enforcement of the programme laid down in 1939. Time and time again enactments made under its particular provisions have withstood the test of legal action in the Courts of Palestine in matters of immigration, land transfers, etc. The validity of the White Paper is unquestionable.

British honour is at stake.

In order to show how and why this is so, a summary of the contents of the White Paper follows, in regard to

(1) Jewish immigration.

Having reaffirmed, as stated in the White Paper of 1922¹ that it had at no time "contemplated the disappearance or subordination of the Arabic (sic) population, language, or culture in Palestine" the Government

* New Judea, October, 1947. ¹ Cmd. 1700, p. 18.

now declare "unequivocably, that it is not part of their policy that Palestine should become a Jewish State."

The ultimate object is stated to be "the establishment within ten years of an independent Palestinian State, in which Jews and Arabs should share in the Government in such a way as to ensure that the essential interests of each community are safeguarded."³

(2) Immigration.

The "economic absorptive capacity" accepted hitherto as the guide for Jewish immigration, is set aside, for "His Majesty's Government do not read either the Statement of Policy of 1922, or the letter sent by the Prime Minister to Dr. Weizmann in 1931, as implying that the Mandate required them, for all time and in all circumstances, to facilitate the immigration of Jews into Palestine, subject ONLY to considerations of the country's economic absorptive capacity."⁴

Therefore, Jewish immigration will be admitted "for each of the next five years on a quota of 10,000, and in addition as a contribution to the Jewish refugee problem of 25,000" making a total of 75,000.

"AFTER THE PERIOD OF FIVE YEARS NO FURTHER JEWISH IMMIGRATION WILL BE PERMITTED UNLESS THE ARABS OF PALESTINE ARE PREPARED TO ACQUIESCE IN IT "⁵

(3) *Land*.

The Government took notice of the fact that several expert Commissions had reported the possibility that a considerable landless Arab class might be created if very much more Arab land passed into Jewish ownership. Therefore, the High Commissioner was given general powers "to prohibit and regulate transfers of land."⁶

² Cmd. 6019, p. 4. ³ Cmd. 6019, p. 6. ⁵ Cmd. 6019, p. 11. ⁶ Cmd. 6019, p. 12.	



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LAND TRANSFER REGULATIONS. Cmd. 6180 1940.

The country was divided into three zones :---

- A. The transfer of land to any but a Palestinian Arab is prohibited.
- B. The transfer of land is here restricted. It may pass only from a Palestinian Arab to a Palestinian Arab.

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C. Transfer in this zone is free to all.

Transfer may be made in any of the three zones at the discretion of the High Commissioner if he considers the transfer is desirable.

Conclusion.

These, in short, were the provisions laid down in 1939 by the British Government for the guidance of the Administration in Palestine. Unacceptable to the Jews, they went far to pacify Arab public opinion. Then came the war, and everything went into cold storage till 1945.

The war ended, the Arabs looked anxiously to see British honour upheld in accordance with its pledged word, but though restricted, Jewish immigration continued. Incensed at the racial discrimination (in Jewish eyes) of the land transfer regulations and the British efforts to check illegal immigration, the Jewish Agency engaged "in carefully planned movements of sabotage and violence under the guise of 'the Jewish Resistance Movement.'"⁷ The reign of bloody terror began and still continues, encouraged by support, especially from America, an example of which appeared in a New York newspaper on May 22, 1947, addressed to Jewish terrorists in Palestine:—

⁷ Cmd. 6873, p. 3.

"Every time you blow up a British arsenal, or wreck a British jail, or send a British train sky high, or rob a British bank, or let go with your guns and bombs at British betrayers and invaders of your home land, the Jews of America make a little holiday in their hearts."

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This is written in June, a month which recalls the tragedy of the King David Hotel in Jerusalem, when ninety men and women, British, Arabs and Jews lost their lives; if only in deference to those who mourn and in justice to those who, in the course of their daily duty, go in hourly danger of their lives, we may surely look to the United Nations to deal promptly and effectively with a situation so fraught with peril not only to individuals, but to the peace and security of the whole world.